THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :21451 of 2007

DATED:09-10-2007

BETWEEN:

Tetali Satyanarayana Reddy.

..... PETITIONER

AND

The Joint Collector,
Kakinada,
East Godavari District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not disposing of the stay application filed by him against the order passed by the 2nd respondent in A/13/2007, dated 28-08-2007, as illegal and arbitrary.

3. It is the case of the petitioner that against the order passed by the Mandal Revenue Officer issuing title deeds and pattadar pass books in favour of the petitioner and others, namely one Subbayamma, Ramakrishna Reddy, and Nagamani, 3rd respondent herein filed an appeal in A/13/2007, before the 2nd respondent-Revenue Divisional Officer, Kakinada, and the said appeal has been allowed on 28-08-2007 directing the Tahsildar, Kadapa to cancel the pattadar pass books granted in favour of the petitioner and others and issue pattadar pass book in favour of the 3rd respondent herein. Aggrieved by the said order of the 2nd respondent, petitioner filed a revision before the 1st respondent-Joint Collector under Section 9 of the A.P. Record of Rights in Land and Pattadar Pass Books Act, 1989 along with the stay application on 28-08-2007. It is stated that the revisional authority has not considered and disposed of the stay application so far.

Hence, the present Writ Petition.

4. Having regard to the facts and circumstances of the case, I am of the opinion that when the revision has been filed along with a stay application it is just and proper for the revisional authority to dispose of the stay application in the revision. Therefore, 1st respondent is directed to consider and dispose of the stay application in the revision filed against the order of the 2nd respondent, dated
28-08-2007, in A/13/2007, as expeditiously as possible, within a period of three weeks from the date of receipt of a copy of this order.

5. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

09th October, 2007.

Note:

Furnish C.C. of the order
within two days.

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